DT03 Rec'd PCT/PT0 2 9 JUL 2004

PTO/SB/64/PCT (04-04)
Approved for use 03/31/2007. OMB 0651-0021
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PETITION FOR REVIVAL OF AN INTERNATIONAL APPLICATION FOR PATENT

Docket Number (Optional)

DESIGNATING THE U.S. ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)	
First Named Inventor: Robert Elsaesser International (PCT) Application No.: PCT/CH02/00019 (if known)	cation No.: 10/501,352
Title: Resealable Packaging Bag	
Attention: PCT Legal Staff Mail Stop PCT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	
The above-identified application became abandoned as to the United States because required by 35 U.S.C. 371(c) were not filed prior to the expiration of the time set in 37 1.495(b) or (c) as applicable. The date of abandonment is the day after the date on which requirements were due. See 37 CFR 1.494(g) or 1.495(h).	CFR 1.494(b) or (c) or
APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICA	ATION
NOTE: A grantable petition requires the following items: (1) Petition fee (2) Proper reply (3) Terminal disclaimer with disclaimer fee which is required for all having an international filing date before June 8, 1995; and (4) Statement that the entire delay was unintentional.	l international applications
1. Petition fee Small entity- fee \$ 665.0 (37 CFR 1.17(m)). Applicant claims small entity states See 37 CFR 1.27.	tus.
Other than small entity - fee \$(37 CFR 1.17(m))	
2. Proper reply	
A. The proper reply (the missing 35 U.S.C. 371(c) requirement(s)) in the form of English Specification and (identify type of reply): Declaration	
has been filed previously on	
is enclosed herewith.	Legal Statr International Divisi on

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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3. Terminal disclaimer with disclaimer fee		
Since this international application has an international filing date on or after June 8,1995, no terminal disclaimer is required.		
A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ for a small entity or \$ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).		
 Statement. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. 		
. •		
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.		
· 7	Man M	
/-26-0 \(\) Date	Signature Signature	
248 689 3500	William J. Schramm	
Telephone Number	Typed or Printed Name	
24,795	P.O. Box 4390	
Registration Number, if applicable	Address	
	Troy, MI 48099-4390 Address	
Enclosures: Response		
Fee Payment		
Terminal Disclaimer		
Petition to Revive	Abandoned Patent Application	
	,	
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Robert Elsaesser

Serial No.:

10/501,352

Filed:

July 14, 2004

For:

RESEALABLE PACKAGING BAG

Group Art Unit:

N/A

Examiner:

N/A

PCT Legal Staff
Mail Stop PCT
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

Date of Deposit with U.S. Postal Service: 7/26/04.

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail under 37 CFR 1.8 on the date indicated above and is addressed to the PCT Legal Staff, Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Kristing Plack

PETITION TO REVIVE ABANDONED PATENT APPLICATION

Sir:

Applicant, by and through its counsel hereby files a Petition to Revive an Abandoned Patent Application where the following facts are relevant:

- On July 8, 2004 the undersigned received an instruction letter from an associate, Jacques Aebischer of Bovard AG, Optingenstrasse 16, CH 3000 Bern 25, Switzerland, containing a specification, claims, and drawings to file a patent application in the United States based upon International Application No. PCT/CH02/00019 filed January 11, 2002 published under WO03/057578 on July 17, 2003.
- 2. Prior to July 8, 2004 the undersigned had not received any instructions to file a patent application in the United States from Mr. Aebischer. The

undersigned has recently worked with Mr. Aebischer because his client had business relations with a client, who is also of Swiss citizenship that the undersigned had been representing in the United States for a number of years.

- 3. The undersigned was on vacation and out of the country from June 26th and returning to the office on July 14th, 2004. Upon noticing that the application documents had not been filed in the United States on July 11th, the undersigned immediately proceeded to have the application papers filed by Express Mail.
- 4. On July 14th the undersigned had a telephone conversation with the information officer in charge of the Patent Cooperation Treaty information desk. The undersigned was informed that under the circumstances, a petition to revive an abandoned application should be submitted so that the appropriate date of July 11th, 2004 would be preserved in accordance with 35 U.S.C. 371.
- 5. The undersigned has been a registered patent practitioner in the United States as a patent attorney for more than thirty years and has filed applications in the United States and abroad in accordance with the Patent Cooperation Treaty.
- 6. Applicant hereby requests that the documents filed on July 14th be accorded the filing date in the United States in accordance with 35 U.S.C. 371, namely, July 11th, 2004.
- 7. The entire delay is unintentional.

July 26, 2004

USSN 10/501,352 Petition to Revive

8. Applicant requests that any additional fees may be charged to account number 50-0852 for this petition as well as for any late payment fees for submitting the declaration in English and the English specification after the due date of July 11th, 2004.

I declare under the penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Respectfully submitted,

REISING, ETHINGTON, BARNES, KISSELLE, P.C.

William J. Schramm

Registration No. 24,795

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Troy, Michigan 48099

(248) 689-3500

Date: July 26, 2004